

Arizona State Board for Charter Schools
July 12, 2004
Humanities and Sciences High School/International Commerce Institute
1105 East Broadway Road
Tempe, Arizona

MINUTES

Members Present

Kurt Davis – President
Kimberly Mosher– Vice President
Mary Gifford – Superintendent’s Designee
Cassandra Larsen - Public Member
Jose Gabriel Loyola – Public Member
Mary Lynn Kelly -Business Member (**telephonically**)
Onnie Shekerjian- Public Member

Members Absent

Lynne Adams – Public Member
Paul Smiley-Business Member
Senator Linda Aguirre - Advisory
Representative John Huppenthal - Advisory
Representative Ted Carpenter - Advisory

Meeting began at 9:04 AM

Agenda Item A: Pledge of Allegiance

Agenda Item B: Moment of Silence

Agenda Item C: Roll Call: Traci Sawyer-Sinkbeil called the roll and confirmed a quorum.

Agenda Item D: Call to the Public

President Davis asked if there were comments from the public. Those present for Call to the Public were specifically present for the Agenda Item J.4 and stated they would hold their comments until that portion of the meeting.

Agenda Item E: Welcome & Presentation–

Humanities & Sciences High School – David Curd
David Curd, charter representative, extended a warm welcome to the Board on behalf of the administration and students of the school. Dr. Curd explained to the Board that his charter was designed to serve adult high school students (e.g. 97% are above compulsory attendance age and 80% are former high school dropouts). He stated that the charter has graduated over 700 students this year.

Dr. Curd stated that he would like to speak to the Board again at the end of the meeting.

Agenda Item F: Consent Agenda

- 1. AIBT, Inc.**—Change in legal status of the Charter Operator from AIBT, Inc. to AIBT Non-Profit Charter High School, Inc.
- 2. AIBT Charter High School, Inc.**—Change in legal status of the Charter Operator from AIBT Charter High School, Inc. to AIBT Non-Profit Charter High School, Inc.
- 3. Arizona Upgrade Academy**—Changes in grade levels served from grades 6, 7, & 8 to grades 5, 6, 7, & 8.
- 4. Arizona Upgrade Academy**— Request for an exception to USFRCS and Procurement.
- 5. Bradley Academy of Excellence**—Changes in grade levels served from grades K-3 to grades K-5.
- 6. Cambridge Academy East, Inc.** — Request for an exception to USFRCS and Procurement.
- 7. Challenger Basic School**— Request for an exception to USFRCS and Procurement.
- 8. Cholla Academy dba Westland School-** Request for an exception to USFRCS and Procurement.
- 9. Cornerstone Charter School**— Request for an exception to USFRCS and Procurement.
- 10. GAR, LLC--** Request for an exception to USFRCS.
- 11. Harvest Power Community Development Group, Inc. dba Harvest Preparatory Academy**—Changes in grade levels served from grades K-9 to grades K-10.
- 13. Jefferson Patriots, Inc. dba Thomas Jefferson High School--** Request to amend the charter to transfer ownership from Jefferson Patriots, Inc. to Air Academy Charter High School, Inc.
- 14. Keystone Montessori Charter School, Inc.**— Changes in grade levels served from grades 1-6 to grades 1-7.
- 15. LEAD Charter School**—Changes in grade levels served from grades K-8 to grades K-10.
- 16. Lifelong Learning Research Institute, Inc.** — Change in methods used to measure pupil progress.
- 17. Little Lamb Community School dba Mission Montessori**— Request for an exception to USFRCS and Procurement.
- 18. New World Educational Center--** Request for an exception to USFRCS and Procurement.
- 19. North Star Charter School**—Changes in curriculum or instruction.
- 20. Nosotros Academy**—Changes in grade levels served from grades 9-12 to grades 6-12.
- 21. Nosotros Academy**—Changes in curriculum or instruction.
- 22. Ombudsman Charter School--** Request for an exception to USFRCS and Procurement.
- 23. Painted Pony Ranch Charter School**—Change in school mission.
- 24. Southgate Community Development Corporation,**

MOTION

Motion by Mary Gifford to approve the Consent Agenda minus Item #12. Motion seconded by Onnie Shekerjian.

Motion passes unanimously

Inc.—Request to amend the charter to transfer ownership from Southgate Community Development Corporation, Inc. to Southgate Academy, Inc.

25. Sunnyside Charter and Montessori School—Changes in grade levels served from grades 6-8 to grades 6-9.

26. Talented and Gifted Charter School—Changes in grade levels served from grades K-6 to grades K-8.

Consent Agenda:

12. Humanities and Sciences Institute, Inc.-- Request to amend the charter to transfer ownership from Humanities and Sciences Institute, Inc. to International Commerce Secondary Schools, Inc.

MOTION

Motion by Mary Gifford to approve Consent Agenda. Motion seconded by Onnie Shekerjian.

**Motion passes
(Larsen abstains)**

Agenda Item G: Superintendent's Report

Superintendent's Designee Mary Gifford reminded schools that while they are encouraged to release individual student test scores to parents but they are not to release aggregate scores as they are still embargoed. The Board requested staff to write a letter to the Department of Education regarding the embargo policy. The Board will encourage the Department to enable schools to release aggregate information over the summer to help parents make school choices for the upcoming year.

Ms. Gifford stated ADE continues its development of a recommendation to take to the State Board of Education for the labeling of small and alternative schools.

The Board discussed the School Report Cards issued by ADE. The Board requested that this issue be analyzed and full recommendations be developed. This matter was dually referred to the Board's legislative and oversight subcommittees.

Agenda Item H: Executive Director's Report

1. Kristen Jordison provided a status of on-going board actions: 12 schools have not submitted their audit. The Board has only one pending notice of intent to revoke and that is for Rolling Hills Charter School. Two of the three schools that the Board revoked in June have been forwarded to the Attorney General's office for collection those are Classical Kids and ReInventEd. The Attorney General's office called after they received the packets and were pleased with the process that has been put into place and thanked the Board for its efforts. The staff is currently working with the Dept. of Ed on Future Development to get a final administrative order then it to will be forwarded for collection. Finally, staff has reviewed the Agreed Upon Procedures review for Omega Alpha. Kristen stated that the school has spent their revenue appropriately or had sufficient cash to

carry it forward. Staff will review the FY 2004 audit to ensure the remaining monies are spent correctly.

Mary Gifford had questions regarding the status of EcoTech Academy and their failure to provide their annual financial audit. She requested they be placed on the next scheduled board meeting as an action item.

2. At the State Board of Education meeting held on June 28th the Board adopted the articulated academic standards in writing. The standards will become effective for the 2005-2006 school year.

3. Kristen stated a total of 84 individuals attended three prospective applicant workshops offered between April and June. A Round Table Review in June provided all interested applicants an opportunity to review their applications with experts in the field. Six application packages have been submitted to the Board thus far. The deadline for submission is August 6, 2004.

4. Kristen provided an appropriation summary for the FY 2005 budget. The Board is on a biannual budget cycle and thus the budget is appropriated every two years by the legislature. The Board's budget for FY 2006 & 2007 is required to be submitted to the Governor's Budget Office as well as to the Legislative Budget Office by September 1st for their review and consideration on a final recommendation. Both recommendations are then released and will be considered by the legislature in the upcoming session.

Kristen provided a summary the FY 2005 budget appropriation of \$694,600 with 10 approved full time positions. The staff is developing the FY 2006 & 2007 budget request and would like to ask for an increase in FY 2006 to fully develop a comprehensive accountability and compliance database that can effectively and efficiently track and monitor the over 500 schools that the staff are responsible for overseeing. The Board has contracted with a consulting firm to develop the specs for this database and it is expected to have a full proposal of costs in the next two weeks. Kristen would like to request funding to increase the staff from the current 8 to the 10 FTE that has been allotted. The two positions would provide technical assistance, further develop systems and processes such as the development of the renewal process, and aid in our on-going monitoring efforts. And finally, Kristen would like to request funding in the in-state travel line item to include increased costs in board member travel, given the addition of two new members and one member from the reservation, as well as increase visits for 5 year reviews and random site visits. Kristen stated she has not received any additional requests from the Board on items to add to the budget.

5. Kristen provided a Timeline for the Implementation of the AG's recommendations to the Board.

6. In addition to providing a summary for fiscal years 1996 through 2005, Kristen reported that currently Arizona has 367 charters representing 502 sites. The Board serves as the sponsor of 317 charters representing 416 sites and the staff provides oversight of the 34 charters sponsored by the State Board of Education representing 52 sites. School districts currently sponsor 16 charters representing 34 sites.

Agenda Item I: Subcommittee Reports and Action Items Continued:

1. Outreach/Public Awareness Report—Update and review of committee actions—Mary Lynn Kelly.

No action taken

Mary Lynn Kelly, the chairman of the Outreach sub-committee, reported that the Outreach committee met and is developing informational materials to bring back to the full Board for consideration.

Order of agenda was changed to accommodate the schedules of representatives from Wide Ruins.

Agenda Item J: Action Items:

4. Wide Ruins Community School, Inc.—The Board will receive information to determine whether evidence exists that Wide Ruins Community School, Inc. is in breach of one or more provisions of its charter contract, federal, state, or local laws regarding its failure to comply with special education laws and failure to provide a comprehensive program of instruction aligned to the Arizona State Standards, and numerous violations found in the fiscal year ending June 30, 2003 annual financial audit and questionnaire.

President Davis asked if there were any Call to the Public comments.

Lorraine Lee, Board member for Wide Ruins Community School, stated she is willing to enforce the board actions but is asking for an extension to correct the special education issues. She also stated they are working on achievement of students and the curriculum.

Lela Gordon, acting administrator, stated she was unaware of non-compliance issues. She became acting administrator on July 1st.

Evelyn Lynch, teacher aide, stated she has worked with the special education kids of the school and requests an extension.

MOTION

Motion made by Kimberly Mosher to issue a Notice of Intent to Revoke the charter of Wide Ruins Community School, Inc based upon the failure to comply with special education laws, failure to provide a comprehensive program of instruction aligned to the Arizona State Standards, failure to appropriately spend a portion of the Classroom Site Funds, failure to properly maintain Fingerprint Clearance Cards for required personnel, failure to properly maintain fingerprint and background checks for other personnel, failure to provide attendance record documentation for what was reported to the ADE for the 40th and 100th days, and failure to notice change in charter holder responsibilities. Motion seconded by Mary Gifford.

**Motion passes
(Kelly abstained)**

MOTION

Motion made by Kimberly Mosher to require the administration of **Wide Ruins Community School, Inc** to notify parents of the Notice of Intent to Revoke within 10 days, to provide the Board with a copy of this notice within 20 days, to provide the Board with a list of names and address of all parents of registered student within 20 days, and to refer this case to the Office of Administrative Hearings for consideration of the findings of fact

and conclusion of law. Motion seconded by Mary Gifford.

Jackie Hathalie, board member, requested that the Board extend an action for 90 days to correct the problems.

Motion passes unanimously

Thomas Bia, board president for Wide Ruins Community School requested an extension and asked that Exceptional Student Services would assist in improving special education issues and timeline.

Kristen Jordison provided the Board with background on the schools non-compliance with an academic program of instruction, issues of non-compliance with special education laws, and issues of non-compliance as indicated in the FY 2003 audit and questionnaire. Kristen answered questions from the Board.

Lynn Busenbark from ADE Exception Student Services provided information to the Board on the school's compliance with special education. Dr. Busenbark stated that ESS took several months to monitor the school and the school was provided a summary of the monitoring that concluded that they were out of compliance in all areas. Dr. Busenbark further explained the follow-up and communication process between ESS and the school that was ineffective over the last nine month. Dr. Busenbark answered questions from the Board.

Franklin Hoover, attorney for the school, mentioned that the school has had a transition in administration and leadership over the last year and that the new board wants to correct the deficiencies.

1. Phoenix Advantage Charter School— Request for an exception to USFRCS and Procurement.

MOTION

Motion made by Cassandra Larsen to approve the Request for an exception to USFRCS and Procurement for **Phoenix Advantage Charter School**. Motion seconded by Kimberly Mosher.

**Motion passes
(Gifford abstained)**

3. Phoenix Day—Discussion and possible action the Phoenix Day's request to suspend operations for one year.

MOTION

Motion made by Jose Gabriel Loyola to approve **Phoenix Day's** request to suspend operations for one year without interruptions in their 15 year contract. Motion seconded by Kurt Davis.

**Motion passes
(4 ayes, 3 no (Mosher, Larsen, Shekerjian))**

Kristen Jordison provided background for the Board.

Yvette Katsenes, Executive Director of Phoenix Day, answered questions from the Board.

The Board discussed the ability and the impact to parents and students on a school stopping and re-starting

operation. The Board took into consideration the fact that this school only served kindergarten students and thus this action would have limited impact.

Kurt Davis asked that this issue be put on the agenda for the Oversight Sub-committee to develop a policy for this type of request in the future.

2. Dove Academy—Review of compliance, discussion and possible action on Dove Academy College Preparatory request to add grade levels 10-12.

Kristen Jordison provided background for the Board regarding non-compliance in test administration and site notification. Kristen informed the Board that the school had submitted a corrective action plan and staff would monitor their compliance with the 2005 test administration.

Judy Gaunt, charter representative of Dove Academy answered questions for the Board.

The Board expressed that schools that have areas of non-compliance should not be brought forward to the Board for consideration, staff should deny the request until the school was back in compliance.

Agenda Item K: Approval of Minutes:
June 14, 2004
Executive Session June 14, 2004

MOTION

Motion made by Kimberly Mosher to reject the request to add grade levels 10-12 for **Dove Academy**. Motion seconded by Mary Gifford.

Motion passes unanimously

MOTION

Motion made by Mary Lynn Kelly to approve the minutes of June 14, 2004 and Executive Session June 14, 2004. Motion seconded by Cassandra Larsen.

Motion passes
(Gifford & Shekerjian abstained)

Mary Lynn Kelly left the meeting at 11:45am

Agenda Item E: Welcome & Presentation—
David Curd outlined issues faced by charter operators to the Board. Dr. Curd expressed concern over the timing of AIMS testing and rising administrative costs due to laborious paperwork.

Agenda Item L: Adjournment

MOTION

Motion by Mary Gifford to adjourn the meeting. Motion seconded by Onnie Shekerjian.

Motion passes unanimously

The meeting adjourned at approximately 12:05 pm.

Signature

Date